

# Combined Declaration For Patent Application and Power of Attorney

ATTORNEY DOCKET  
1111F-P

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## COMPUTER USER POSTURE DEVICE

The specification of which (check only one item below):

☒ is attached hereto.

☐ was filed as United States Application Serial No

was amended on (if applicable).

☐ was filed as PCT international application Number on and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent & Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) or 365 (b) of any foreign application(s) for patent or inventor's certificate, or (365 (a) of any PCT international application(s) which designates at least one country other than the United States of America, listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international application(s) designating a least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

### PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (month/day/year)	PRIORITY CLAIMED UNDER 35 USC §119			
				YES		NO
				YES		NO
				YES		NO

I hereby claim the benefit under Title 35, United States Code, 119 §(e) of any United States provisional application(s) listed below:

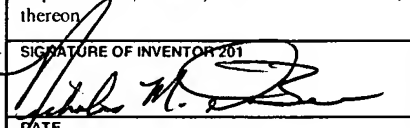
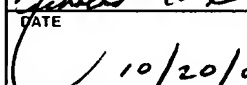
### PRIOR PROVISIONAL APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119 (e):

PROVISIONAL APPLICATION NUMBER	FILING DATE (month/day/year)
60/278,039	03/23/2001

I hereby claim the benefit under Title 35, United States Code, §120 of any prior United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior applications(s) in the manner provided by the first paragraph of Title 35, §112, I acknowledge the duty to disclose to the U.S. Patent & Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

### PRIOR US APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S FOR BENEFIT UNDER 35USC§120:

U.S. APPLICATIONS		STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
10/109,789	04/01/2002		X	
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)		

Combined Declaration For Patent Application and Power of Attorney (Continued)			ATTORNEY DOCKET 86160F-P	
<b>POWER OF ATTORNEY:</b> As a named inventor, I hereby appoint Frank Pincelli, Reg. No 27,370 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.				
Send Correspondence to:  <div style="text-align: center;">           Frank Pincelli            145 Red Cedar Drive            Rochester, New York, 14616         </div>			Direct Telephone Calls to: <i>(name and telephone number)</i>  <div style="text-align: center;">           Frank Pincelli            (585) 588-2728            FAX: (585) 477-4646         </div>	
2	FULL NAME OF INVENTOR	FAMILY NAME DiBella	FIRST GIVEN NAME Nicholas	SECOND GIVEN NAME M
0	RESIDENCE & CITIZENSHIP	CITY 81 Flower Dale Drive	STATE OR FOREIGN COUNTRY Rochester, New York 14626	COUNTRY OF CITIZENSHIP United States of America
1	BUSINESS ADDRESS	BUSINESS ADDRESS	CITY	STATE & ZIP CODE (COUNTRY)
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
SIGNATURE OF INVENTOR 201 		SIGNATURE OF INVENTOR 202 		SIGNATURE OF INVENTOR 203 
DATE  10/20/03		DATE 		DATE 

Practitioner's Checklist No. 1111FP

**PATENT**

☒ Applicant ☐ Patentee \_\_\_\_\_  
☐ Application No. ☐ Patent No. \_\_\_\_\_  
☐ Filed on ☐ Issued on \_\_\_\_\_  
Title: \_\_\_\_\_

**STATEMENT OF STATUS AS SMALL ENTITY  
(37 C.F.R. § 1.27(a)(1))—INDEPENDENT INVENTOR**

As a below named inventor, I hereby state that I qualify as an independent inventor, as defined in 37 C.F.R. § 1.27(a)(1), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, with regard to the invention described in

- ☒ the specification filed herewith, with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as a person under 37 C.F.R. § 1.27(a)(1), if that person had made the invention, or to any concern that would not qualify as a small business concern under 37 C.F.R. § 1.27(a)(2), or a nonprofit organization under 37 C.F.R. § 1.27(a)(3).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ No such person, concern, or organization exists.  
☐ Each such person, concern or organization is listed below. \*

*\*NOTE: Separate statements should be obtained from each named person, concern or organization having rights to the invention as to their status as small entities.*

FULL NAME NICHOLAS M. D. BELLA  
ADDRESS 81 FLOWER DALE DR  
ROCHESTER NY 14626

☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

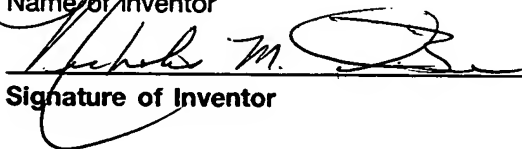
FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(g)(2))

NOTE: "The presentation to the Office (whether by signing, filing, submitting, or later advocating) of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under § 10.18(b) of this chapter. Violations of § 10.18(b)(2) of this chapter by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under § 10.18(c) of this chapter. Any practitioner violating § 10.18(b) may also be subject to disciplinary action. See §§ 10.18(d) and 10.23(c)(15)." 37 C.F.R. § 1.4(d)(2).

NICHOLAS M. DIBELLA  
Name of Inventor

  
Signature of Inventor

Date 10/20/03

\_\_\_\_\_  
Name of inventor

\_\_\_\_\_  
Signature of Inventor

Date \_\_\_\_\_

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Name of inventor

\_\_\_\_\_  
Signature of Inventor

Date \_\_\_\_\_